

## Department of Justice

## § 90.55

crimes of sexual assault and domestic violence;

(5) Developing, enlarging, or strengthening victim services programs, including sexual assault and domestic violence programs; providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted; and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of sexual assault and domestic violence; and

(6) Developing, enlarging, or strengthening programs addressing stalking.

### **§ 90.53 Eligibility of Indian tribal governments.**

(a) *General.* Indian tribes as defined by § 90.2 of this part shall be eligible for grants under this subpart.

(b) *Forensic medical examination payment requirement.* (1) An Indian tribal government shall not be entitled to funds under this Program unless the Indian tribal government (or other governmental entity) incurs the full out-of-pocket costs of forensic medical examinations for victims of sexual assault.

(2) An Indian tribal government shall be deemed to incur the full out-of-pocket costs of forensic medical examinations for victims of sexual assault if, where applicable, it meets the requirements of § 90.14(b) or establishes that another governmental entity is responsible for providing the services or reimbursements meeting the requirements of § 90.14(b).

(c) *Filing costs for criminal charges requirement.* An Indian tribal government shall not be entitled to funds under this part unless the Indian tribal government either

(1) Certifies that its laws, policies, and practices do not require the victim to bear the following costs in connection with the prosecution of any misdemeanor or felony domestic violence offense:

(i) The cost associated with filing criminal charges against a domestic violence offender, or

(ii) The costs associated with issuing or serving a warrant, protection order and/or witness subpoena arising from

the incident that is the subject of the arrest or criminal prosecution, or

(2) Assures that its laws, policies and practices will be in compliance with these requirements by September 13, 1996. (Section 2006.)

### **§ 90.54 Allocation of funds.**

(a) 4% of the total amounts appropriated for this Program under section 2002(b) shall be available for grants directly to Indian tribal governments.

(b) Indian tribal governments may make individual applications, or apply as a consortium.

(c) Funding limits the number of awards. The selection process will be sensitive to the differences among tribal governments and will take into account the applicants' varying needs in addressing violence against women.

### **§ 90.55 Matching requirements.**

(a) A grant made to an Indian tribal government under this subpart C may not be expended for more than 75% of the total costs of the individual projects described in the application. Section 2002(g). A 25% non-Federal match is required. This 25% match may be cash or in-kind services. Applicants are expected to submit a narrative that identifies the source of the match.

(b) In-kind match may include donations of expendable equipment, office supplies, workshop or classroom materials, work space, or the monetary value of time contributed by professional and technical personnel and other skilled and unskilled labor if the services they provide are an integral and necessary part of a funded project. The value placed on loaned or donated equipment may not exceed its fair rental value. The value placed on donated services must be consistent with the rate of compensation paid for similar work in the organization or the labor market. Fringe benefits may be included in the valuation. Volunteer services must be documented and, to the extent feasible, supported by the same methods used by the recipient organization for its own employees. The value of donated space may not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately owned building in